IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 16422 of 2004

Between:

Mohammed Munawer Ali, S/o Khairath Ali, Correspondent,
Re-Public High School, Uppuguda, Hyderabad.

..... PETITIONER

AND

The District Educational Officer, Hyderabad District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent in issuing the impugned proceedings Rc.No. 10546/EV1/96-94 dated 23-8-2004 as illegal and arbitrary.

Counsel for the Petitioner:MRS.SOFIA BEGUM

Counsel for the Respondent: GP FOR EDUCATION

The Court at the stage of admission made the following ORDER:

The petitioner, earlier, filed WP.No.22598 of 2003 before this Court questioning the consequential proceedings dated
27-09-2003 issued by the respondent pursuant to the orders passed by the Government in Memo No.1109/PS.1/97/37, dated 01-09-2003 directing for shifting the school to a suitable building as the present school building is in a dilapidated condition. In fact, against the proceedings dated 15-08-2004 issued by the respondent directing the petitioner to shift the school within seven days, the petitioner filed WPMP.No.19887 of 2004 in WP.No.22598 of 2003 seeking stay of all further proceedings. Since no stay order was obtained by the petitioner, the petitioner was called upon to shift the school to a safer place by proceedings dated 23-08-2004 and that will not give rise to a cause of action in the present writ petition as the said proceedings were issued in consequence to the orders passed by the Government in the memo referred to above. The petitioner, if aggrieved, can seek appropriate orders in the pending writ petition itself.

The writ petition is accordingly dismissed. No costs.

14th SEPTEMBER, 2004.

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To

1. The District Educational Officer, Hyderabad District.

2. Two C.Cs to the Government Pleader for Education,

High Court of A.P., Hyderabad.(OUT)

3. Two C.D copies